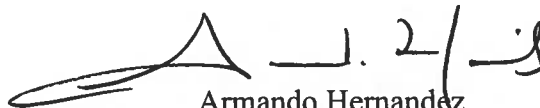


Declaration of Resident Agent in Charge Armando Hernandez

1. I am the Resident Agent in charge (RAC) of San Diego Group IV for the Los Angeles Field Division, Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF). In my capacity as the RAC, I am aware of the facts surrounding the seizure of EP80 firearms from Ares Armor and the subsequent return of those firearms.
2. On March 15, 2014, ATF executed Federal Search Warrants at four Ares Armor locations searching for evidence of illegally manufactured and distributed firearms. Under the authority of those search warrants, ATF seized all EP80 model firearms on the premises. Prior to departing the locations, ATF provided a receipt for the property identifying 5804 firearms were seized by ATF.
3. The firearms were sealed inside large boxes and loaded directly into a transport van for transport to an ATF storage facility. ATF personnel retained custody and control of the seized firearms throughout transit and ensured all firearms were locked up inside the storage facility.
4. On December 22, 2014, ATF retrieved all the EP80 firearms boxes from storage for transport to the ATF Carlsbad field office to facilitate the return of the seized property to Ares Armor. There was no indication that the storage facility had been breached or that any of the original boxes containing the seized firearms had been opened.
5. On December 23, 2014, ATF returned the seized EP80 firearms to Ares Armor. As part of the orderly return, ATF and personnel from Ares Armor counted each firearm. On some instances, the count indicated on the outside of the sealed box did not match the count when opened and individually counted. Although the inventory reflected 5,804 EP80 firearms, the final count of EP80 firearms returned to Ares Armor was 5,786.
6. Subsequent to the return of the EP80 firearms to Ares Armor on December 23, 2014, ATF conducted a complete vault inventory and confirmed that there were no EP80 firearms located.
7. ATF does not have any EP80s firearms seized from Ares Armor in its possession nor did ATF remove any EP80 firearms from storage for further evidentiary testing.
8. I declare under penalty of perjury that to the best of my knowledge, the foregoing is true and correct.


Armando Hernandez
8/4/15